	Application No.	Applicant(s)
Notice of Allowability	09/991,201	TOMKOW, TERRENCE A.
	Examiner	Art Unit	
	Longbit Chai	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *7/10/2006*.

2. ☒ The allowed claim(s) is/are *1-41*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

        Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *8/11/2006* .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

CHRISTOPHER REVAK
PRIMARY EXAMINER

DETAILED ACTION

Applicant's amendments filed 7/10/2006, with respect to the double patenting rejection have been fully considered and the double patenting rejection has been withdrawn.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ellsworth R. Roston on 8/11/2006.

This application has been amended as follows:

IN THE CLAIMS

Amend each of the independent claims 1, 10, 21, 27 and 32 as follows.

Please note for Applicant's amendment filed 7/10/2006, double bracket [[ ]] is simply used for pointing out "five or fewer consecutive characters" and is not meant as deletion of those characters inside the double bracket – for example, on Line 2 of claim 2, [[a]] [[the]] means to delete "a" and add "the" (i.e. replace "a" with "the").

Claim 1:

- **Line 5:**   the sender ~~wishes~~ requests to have the server

- **Line 11:**   ~~the~~ an identity of the sender

- **Line 12:**   ~~the~~ an identity of the

- **Replace Line 12 – 20 with the following limitations:**

receiving at the server from the recipient the message and a first information

including the identity of the recipient and an indication of the receipt of the message by

the recipient and the identification and address of the server and the identity of the

sender and a handshaking and delivery history of the message and

sending to the sender from the server, before any authentication of the message,

a copy of the message and the first information received by the server from the recipient

and an encrypted hash of the message, and

thereafter sending ~~the message~~ from the sender to ~~he~~ the server the message

and a second information including the first information and the encrypted hash of the

message previously received by the sender from the server before any ~~authorization~~

authentication of the message by the server when the sender requests to have the

message authenticated and

processing at the server the second information from the server to the senders,

without any assistance from the recipient, to authenticate the message.

Claim 10:

- **Replace Line 15 – 23 (i.e. up to the current last line) with the following limitations:**

receiving at the server from the recipient the message and a first information

including the identity of the recipient and an indication of the receipt of the message by

the recipient and the identification and address of the server and the identity of the

sender and a handshaking and delivery history of the message and

sending to the sender from the server, before any authentication of the message,

a copy of the message and the first information received by the server from the recipient

and **an** encrypted hash of the message, and

thereafter sending from the sender to the server the message and a second

information including the first information and the encrypted hash of the message

previously received by the sender from the server before any authentication of the

message by the server when the sender requests to have the message authenticated

and

processing at the server the second information from the server to the senders,

without any assistance from the recipient, to authenticate the message.

Claim 21:

- **Line 5:** the message and ~~the~~ an encrypted hash
- **Replace Line 15 – 19 (i.e. the current last limitation) with the following limitations:**

receiving at the server from the recipient the message and a first information including the identity of the recipient and an indication of the receipt of the message by the recipient and the identification and address of the server and the identity of the sender and a handshaking and delivery history of the message and

sending to the sender from the server, before any authentication of the message, a copy of the message and the first information received by the server from the recipient and **the** encrypted hash of the message, and

thereafter sending from the sender to the server the message and a second information including the first information and the encrypted hash of the message previously received by the sender from the server before any authentication of the message by the server when the sender requests to have the message authenticated and

processing at the server the second information from the server to the senders, without any assistance from the recipient, to authenticate the message.

Claim 27:

- **Line 5:**   ~~the~~ an identity of the sender and ~~the~~ an identity and address
- **Line 18:**   ~~the message.~~ the message,
- **Add the following limitations after Line 18 (i.e. the current last line):**

receiving at the server from the recipient the message and a first information including the identity of the recipient and an indication of the receipt of the message by

the recipient and the identification and address of the server and the identity of the

sender and a handshaking and delivery history of the message and

sending to the sender from the server, before any authentication of the message,

a copy of the message and the first information received by the server from the recipient

and **an** encrypted hash of the message, and

thereafter sending from the sender to the server the message and a second

information including the first information and the encrypted hash of the message

previously received by the sender from the server before any authentication of the

message by the server when the sender requests to have the message authenticated

and

processing at the server the second information from the server to the senders,

without any assistance from the recipient, to authenticate the message.

Claim 32:

- **Line 4:**   ~~the~~ an identity of the sender and ~~the~~ an identity and address

of the server

- **Replace Line 17 – 19 (i.e. the current last limitation) with the

following limitations:**

receiving at the server from the recipient the message and a first information

including the identity of the recipient and an indication of the receipt of the message by

the recipient and the identification and address of the server and the identity of the

sender and a handshaking and delivery history of the message and

sending to the sender from the server, before any authentication of the message,

a copy of the message and the first information received by the server from the recipient

and **the** encrypted hash of the message, and

thereafter sending from the sender to the server the message and a second

information including the first information and the encrypted hash of the message

previously received by the sender from the server before any authentication of the

message by the server when the sender requests to have the message authenticated

and

processing at the server the second information from the server to the senders,

without any assistance from the recipient, to authenticate the message.

Allowable Subject Matter

1. Claims 1 – 41 are allowed.

2. The following is an examiner's statement of reasons for allowance:

The above mentioned claims are allowable over prior arts because the CPA

(Cited Prior Art) of record fails to teach or render obvious the claimed limitations in

combination with the specific added limitations, as recited in independent claims 1, 10,

21, 27 and 32.

The prior arts Flynn in combination with Ouchi, fail to teach or suggest a method

of transmitting a message from a sender to a recipient through a server displaced from

the recipient with the following particular steps of receiving at the server from the recipient the message and a first information including the identity of the recipient and an indication of the receipt of the message by the recipient and the identification and address of the server and the identity of the sender and a handshaking and delivery history of the message and sending to the sender from the server, before any authentication of the message, a copy of the message and the first information received by the server from the recipient and an encrypted hash of the message, and thereafter sending from the sender to the server the message and a second information including the first information and an encrypted hash of the message previously received by the sender from the server before any authentication of the message by the server when the sender requests to have the message authenticated and processing at the server the second information from the server to the senders, without any assistance from the recipient, to authenticate the message.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 571-272-3788. The examiner can normally be reached on Monday-Friday 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ayaz R Sheikh can be reached on 571-272-3795. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Longbit Chai
Examiner
Art Unit 2131

LBC

CHRISTOPHER REVAK
PRIMARY EXAMINER